

**SEALED**IN THE UNITED STATES DISTRICT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
FILED  
COURT APR - 9  
TEXAS  
CLERK U.S. DISTRICT COURT  
By *SA* Deputy

UNITED STATES OF AMERICA

v.

ELLEN CHEN YEH (1)

§      No. **3 - 08 CR - 096 - P**  
§      FILED UNDER SEAL  
§  
§

INDICTMENT

The Grand Jury Charges:

At all times material to this Indictment:

## INTRODUCTION

1. Texas Instruments, Inc., ("TI"), a Delaware corporation with its principal place of business in Dallas, Texas, designs and manufactures analog, digital signal processing and other integrated circuit technologies used in cellular phones, computers, medical, entertainment devices, and other consumer products.
2. Ellen Chen Yeh was employed at TI from September 20, 1993 through March 11, 2005.

Counts One Through Three  
 Theft of Trade Secrets  
 (Violation of 18 U.S.C. § 1832(a)(1), (a)(4))

1. The Grand Jury incorporates and realleges the allegations set out in paragraphs 1-2 of the Introduction to the Indictment.
2. Between on or about February 2, 2005, and March 10, 2005, in the Dallas Division of the Northern District of Texas, and elsewhere, the defendant ELLEN CHEN YEH, did knowingly attempt to steal and appropriate without authorization, and did steal and appropriate without authorization, trade secrets owned by Texas Instruments, Inc., specifically, computer files containing information and data relating to the product or process specified in each count below, related to or included in a product for or placed in interstate or foreign commerce, intending that the theft would economically benefit someone other than the owner of the trade secret, and intending or knowing that the offense would injure the owner of the trade secret, Texas Instruments:

COUNT	DESCRIPTION OF TRADE SECRET
1	Design, specification, manufacturing, and performance data for the LBC5 process, the technological process for the integration of components to form an integrated circuit
2	Design, specification, manufacturing, and performance data for the TFP510 chip, a digital video interface integrated circuit with high bandwidth digital content protection used in cable boxes
3	Design, specification, manufacturing, and performance data for the Phase Lock Loop, a clock generator used in numerous Texas Instrument-designed integrated circuits

In violation of 18 U.S.C. § 1832(a)(1), (a)(4).

Counts Four Through Seven  
Theft of Trade Secrets  
(Violation of 18 U.S.C. § 1832(a)(2), (a)(4))

1. The Grand Jury incorporates and realleges the allegations set out in paragraphs 1-2 of the Introduction to the Indictment.
2. Between on or about February 2, 2005, and March 10, 2005, in the Dallas Division of the Northern District of Texas, and elsewhere, the defendant ELLEN CHEN YEH, did knowingly copy, download, upload and replicate without authorization a trade secret owned by Texas Instruments, Inc., specifically, computer files containing the data and information specified in each count below, related to or included in a product for or placed in interstate or foreign commerce, intending that the theft would economically benefit someone other than the owner of the trade secret, and intending or knowing that the offense would injure the owner of the trade secret, Texas Instruments:

COUNT	DESCRIPTION OF TRADE SECRET
4	Design, specification, manufacturing, and performance data for the LBC5 process, the technological process for the integration of components to form an integrated circuit
5	Design, specification, manufacturing, and performance data for the TFP510 chip, a digital video interface integrated circuit with high bandwidth digital content protection used in cable boxes
6	Design, specification, manufacturing, and performance data for the Phase Lock Loop, a clock generator used in numerous Texas Instrument-designed integrated circuits
7	Design, specification, manufacturing and performance data for integrated circuits used in CDMA, WCDMA and other wireless telephones,

In violation of 18 U.S.C. § 1832(a)(2), (a)(4).

Counts Eight Through Nine  
Fraud and Related Activity in Connection With Computers  
(Violation of 18 U.S.C. § 1030(a)(4))

1. The Grand Jury incorporates and realleges the allegations set out in paragraphs 1-2 of the Introduction to the Indictment.
2. Between on or about February 2, 2005, and March 10, 2005, in the Dallas Division of the Northern District of Texas, Dallas Division, and elsewhere, the defendant ELLEN CHEN YEH, knowingly and with intent to defraud accessed a protected computer, as that term is defined in 18 U.S.C. § 1030(e)(2)(B), without authorization or in a manner exceeding authorized access, and by means of such conduct furthered an intended fraud and obtained something of value, in that Yeh knowingly and with intent to defraud accessed a Texas Instruments computer designated "Hanger 17," located within the Dallas Division of the Northern District of Texas and used in interstate commerce and communication, without authorization or in excess of authorization, and as a direct and proximate result of such conduct, obtained the information and data specified in each count below:

COUNT	DESCRIPTION OF THING OF VALUE
8	Design, specification, manufacturing, and performance data for the LBC5 process, the technological process for the integration of components to form an integrated circuit
9	Design, specification, manufacturing and performance information and data related to integrated circuits used in CDMA, WCDMA and other wireless telephones.

In violation of 18 U.S.C. § 1030(a)(4).

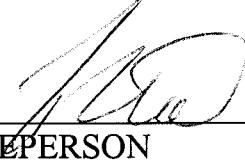
Count Ten

Forfeiture Allegation - Theft of Trade Secrets  
(Violation of 18 U.S.C. § 1834(a)(2))

1. Upon conviction of any one or more of the offenses alleged in Counts One through Seven, inclusive, and pursuant to 18 U.S.C. § 1834 (a)(2), defendant **ELLEN CHEN YEH** shall forfeit to the United States all of the property used, and intended to be used, in any manner and part, to commit and facilitate the commission of the aforesaid violations, taking into consideration the nature, scope, and proportionality of the use of the property in the offense, specifically:

- a. Seagate 120 GB hard drive, serial number 3JT07XIN;
- b. Maxtor 120 GB hard drive, serial number 44318JGE;
- c. Hitachi 60 GB hard drive, serial number MRH403M4GTSAB;
- d. Lexar 256 MB compact flash card;
- e. Viking Interworks128 MB compact flash card.

A TRUE BILL:



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\_\_\_\_\_  
FOREPERSON

RICHARD B. ROPER  
UNITED STATES ATTORNEY

Paul Yanowitch  
PAUL YANOWITCH  
Assistant United States Attorney  
Illinois State Bar No. 6188269  
1100 Commerce St., Suite 300  
Dallas, Texas 75242-1699  
Telephone: 214.659.8618  
Facsimile: 214.767.2846

**SEALED**

IN THE UNITED STATES DISTRICT COURT U.S. DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

**FILED**

APR - 9

UNITED STATES OF AMERICA

v.

CLERK, U.S. DISTRICT COURT

By \_\_\_\_\_

Deputy \_\_\_\_\_

ELLEN CHEN YEH (1)

**3-08 CR-096-P**

SEALED INDICTMENT

18 U.S.C. § 1832(a)(1), (a)(4)

Theft of Trade Secrets

18 U.S.C. § 1832(a)(2), (a)(4)

Theft of Trade Secrets

18 U.S.C. § 1030(a)(4)

Fraud and Related Activity in Connection With Computers

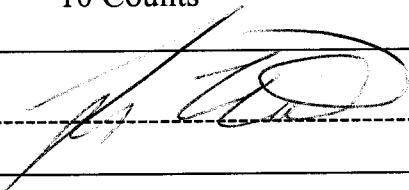
18 U.S.C. § 1834(a)(2)

Forfeiture Allegation - Theft of Trade Secrets

10 Counts

JB  
A true bill rendered:

DALLAS

  
FOREPERSON

Filed in open court this 9th day of April, A.D. 2008.

Wm J. Anderson Jr.  
Issue Arrest Warrant for Ellen Chen Yeh

Clerk

UNITED STATES DISTRICT/MAGISTRATE JUDGE  
No Magistrate Complaint Pending  
3:05-MJ-114

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS**

**1. Defendant Information**

Juvenile:  Yes  No

If Yes, Matter to be sealed:

Yes  No

**Related Case Information**

Superseding Indictment:  Yes  No New Defendant:  Yes  No

Pending CR Case in NDTX:  Yes  No If Yes, number: \_\_\_\_\_

Search Warrant Case Number 3:CR-05-MJ-114

R 20 from District of \_\_\_\_\_

Magistrate Case Number 3-08 CR-096-P

Defendant Name ELLEN CHEN YEH (1)

Alias Name \_\_\_\_\_

Address \_\_\_\_\_

County in which offense was committed: Dallas

**2. U.S. Attorney Information**

AUSA Paul Yanowitch Bar # Illinois State Bar No. 6188269

**3. Interpreter**

Yes  No If Yes, list language and/or dialect: \_\_\_\_\_

**4. Location Status**

**Issue Arrest Warrant**

Already in Federal Custody as of \_\_\_\_\_ in \_\_\_\_\_  
 Already in State Custody  
 On Pretrial Release

**5. U.S.C. Citations**

Total # of Counts as to This Defendant: 10

Petty  Misdemeanor  Felony

Citation	Description of Offense Charged	Count(s)
18 U.S.C. § 1832(a)(1), (a)(4)	Theft of Trade Secrets	1-3
18 U.S.C. § 1832(a)(2), (a)(4)	Theft of Trade Secrets	4-7
18 U.S.C. § 1030(a)(4)	Fraud & Related Activity in Connection with Computers	8-9
18 U.S.C. § 1834(a)(2)	Forfeiture Allegation - Theft of Trade	10

Date 4/7/2008

Signature of AUSA: Paul Yanowitch